

86th Legislative Session – 2011

Committee: Senate Commerce and Energy

Thursday, January 20, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Buhl
P Johnston
P Lederman
P Rave
P Nygaard, Vice-Chair
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 18, 2011

Moved by: Rave
Second by: Nygaard
Action: Prevailed by voice vote.

SB 43: revise certain health insurance standards for patient protection.

THE CHAIR DEFERRED SB 43 UNTIL ANOTHER DAY

SB 44: revise certain provisions regarding representations and warranties in insurance and annuity applications.

THE CHAIR DEFERRED SB 44 UNTIL ANOTHER DAY

SB 47: revise certain firm ownership provisions regarding real estate license holders

and to make form and style revisions to certain provisions related to the Real Estate Commission.

Presented by: Dee Jones Noordermeer, Executive Director, Real Estate Commission
Proponents: Dean Krogman, SD Association of Realtors

MOTION: DO PASS SB 47

Moved by: Rave
Second by: Lederman
Action: Prevailed by roll call vote. (6-0-0-1)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Absent: Adelstein

MOTION: PLACE SB 47 ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Rave
Action: Failed by voice vote.

SB 49: authorize the Real Estate Commission to commence actions for injunctions against certain individuals and entities that engage in the practice of real estate without a license issued and to provide for recovery of costs of the injunction proceedings by the commission.

Presented by: Dee Jones Noordermeer, Executive Director, Real Estate Commission
Proponents: Dean Krogman, SD Association of Realtors

MOTION: AMEND SB 49

49oa

On page 1, line 12, of the printed bill, delete "for injunction" and insert "where an injunction is granted".

Moved by: Rave
Second by: Lederman
Action: Prevailed by voice vote.

MOTION: DO PASS SB 49 AS AMENDED

Moved by: Nygaard
Second by: Johnston
Action: Prevailed by roll call vote. (6-0-0-1)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Absent: Adelstein

SB 21: eliminate the requirement for single action hardware on primary exit doors for specialty resorts and vacation homes.

Presented by: Tom Martinec, Department of Health (Handout: #1)
Proponents: Kim Rupp, self, Sturgis
Michele Brich, SD Innkeepers Association

MOTION: AMEND SB 21

21ja

On page 1, line 8, of the printed bill, after "~~hardware~~" insert "without the use of a key or special knowledge or effort".

On page 2, line 9, after "~~hardware~~" insert "without the use of a key or special knowledge or effort".

On page 3, line 1, after "~~hardware~~," insert "without the use of a key or special knowledge or effort".

Moved by: Johnston
Second by: Lederman
Action: Prevailed by voice vote.

MOTION: DO PASS SB 21 AS AMENDED

Moved by: Buhl
Second by: Nygaard
Action: Prevailed by roll call vote. (6-0-0-1)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Absent: Adelstein

MOTION: PLACE SB 21 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Rave

Action: Prevailed by voice vote.

SB 23: update certain citations to federal regulations regarding pipeline safety inspection.

Presented by: Rolayne Wiest, Public Utilities Commission

MOTION: DO PASS SB 23

Moved by: Johnston

Second by: Rave

Action: Prevailed by roll call vote. (6-0-0-1)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Absent: Adelstein

MOTION: PLACE SB 23 ON CONSENT CALENDAR

Moved by: Rave

Second by: Buhl

Action: Prevailed by voice vote.

SB 24: increase the filing fee for a rate case filed by a gas or electric public utility.

Presented by: Gary Hanson, Public Utilities Commission

MOTION: DO PASS SB 24

Moved by: Rave

Second by: Lederman

Action: Prevailed by roll call vote. (6-0-0-1)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Absent: Adelstein

SB 25: revise certain provisions regarding the use of funds in the telephone solicitation account.

Presented by: Rolayne Wiest, Public Utilities Commission

MOTION: DO PASS SB 25

Moved by: Nygaard

Second by: Rave

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: PLACE SB 25 ON CONSENT CALENDAR

Moved by: Lederman

Second by: Nygaard

Action: Prevailed by voice vote.

SB 26: revise certain provisions regarding the implementation of a proposed rate or practice by a gas or electric public utility.

Presented by: Steve Kolbeck, Public Utilities Commission

Proponents: Steve Willard, SD Electric Utilities

MOTION: DO PASS SB 26

Moved by: Adelstein

Second by: Lederman

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: PLACE SB 26 ON CONSENT CALENDAR

Moved by: Adelstein

Second by: Johnston

Action: Prevailed by voice vote.

SB 27: revise certain provisions relating to the State Electrical Commission.

Presented by: J.J. Linn, DOL-SD Electrical Commission

MOTION: DO PASS SB 27

Moved by: Johnston

Second by: Lederman

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: ADJOURN

Moved by: Nygaard

Second by: Lederman

Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Nelson, Chair